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Honorable Christopher M. Alston
Chapter 7

5
6 UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

7 In re:

8 CAROL ANN PORTER

9 Debtor.

No. 15-10671-CMA

DECLARATION OF
CHRISTINA HENRY

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12 Christina Henry, declares under penalty of perjury that the following statements are true
13 to the best of his knowledge and belief.

14 1. I am an attorney licensed to practice law in the state of Washington and I have
15 been so licensed since 2001.

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17 2. I graduated from Dartmouth College in 1994 and from Boston College Law
18 School in 2000. I then served a clerkship with the Honorable Whitney Rimel in the United
19 States Bankruptcy Court for the District of California. After completing my clerkship, I was an
20 associate in the firm of RCO Legal, P.S. from 2002 to 2004 and then was at Croker Law
21 Group, PLLC from 2004 to 2006. At that point I went out on my own and formed Seattle Debt
22 Law in 2006.

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24 3. I am now the first named partner in Henry & DeGraaff, P.S., practicing law in
25 the Western District of Washington, primarily in Bankruptcy Court and in federal court in the
26 Western District of Washington.
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1 4. I have read the Declaration of Carol Porter filed in these proceedings. I have also
2 reviewed the brief in support of reconsideration of attorney's fees, disgorgement of attorney's
3 fees paid, and payment of administrative expenses.
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5 5. I make my declaration based upon these documents. I am familiar with the
6 standard of practice in the Bankruptcy Court for the Western District of Washington.
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8 6. It is incomprehensible to me that any lawyer familiar with bankruptcy process as
9 it is practiced in the Western District of Washington would fail to instruct his client to stop
10 making mortgage payments and paying real property taxes after her Chapter 11 case was
11 converted to Chapter 7. However I would insist that the debtor pay homeowner's insurance. It
12 is inconceivable to me that any attorney practicing bankruptcy law in the Western District of
13 Washington, with an understanding of the law of homestead and appreciation of property after
14 the bankruptcy filing, would not advise the debtor to stop making such payments. I can
15 conceive of no reason for a debtor in a liquidating Chapter 7 to be making mortgage payments
16 on the property for four years without ever moving for abandonment.
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19 7. I find it incomprehensible and well below the standard of care for an attorney to
20 remain the attorney of record for a debtor after advising her that he had a conflict of interest and
21 could not file any pleadings. Further, I find it below the standard of care for an attorney
22 practicing in the Western District of Washington to refuse to file pleadings on behalf of his
23 client and failing to appear at hearings to which his client wishes to be heard. It is my belief that
24 the standard of care is to seek an order authorizing withdrawal. Instead, when Ms. Porter asked
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1 Mr. Carter to withdraw, he informed her that he could file a motion to withdraw, but he did not
2 think the Judge would sign it, which I find incomprehensible.

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4 8. It is clear that Ms. Porter was not represented in these proceedings in a
5 competent manner.

6 9. Ms. Porter clearly has been damaged to the extent of four years of making the
7 first and second mortgage payments. She has also been damaged by the improvements she
8 made to the property post-petition.
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10 Executed under penalty of perjury this 4th day of June, 2020 at Seattle, Washington.

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12 /s/ Christina L Henry
13 Christina L. Henry, WSBA# 31273
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